



Brian P. Morgan
Partner
brian.morgan@faegredrinker.com
212-248-3272 direct

November 15, 2024

VIA CM/ECF

Magistrate Judge Sarah L. Cave
United States District Court for the Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street, Room 1670
New York, NY 10007

The Court is in receipt of the parties' joint letter at ECF No. 204, which requests that the telephonic conference scheduled for Tuesday, November 19, 2024 (the "Conference") be adjourned to a date after the Honorable Jesse M. Furman has entered judgment in this matter. The parties' request is GRANTED, and the Conference is ADJOURNED to **Monday, January 6, 2025 at 11:00 a.m.** on the Court's Microsoft Teams platform. The parties are directed to call: (646) 453-4442; access code: 818-676-534#; at the scheduled time.

SO ORDERED. 11/15/2024

SARAH L. CAVE
United States Magistrate Judge

Re: *Delshah 60 Ninth, LLC v. Free People of PA, LLC*, Case No. 20-cv-5905

Dear Judge Cave:

We represent Defendant Free People of PA LLC n/k/a URBN US Retail LLC ("Free People" or "Defendant") in the above-captioned matter. We write with the consent and approval of counsel for Plaintiff Delshah 60 Ninth, LLC ("Delshah" or "Plaintiff") regarding Your Honor's November 4, 2024 Order [ECF No. 200], in which the Court scheduled a telephone conference for November 19, 2024 at 10:00 a.m. to discuss Delshah's anticipated motion for attorneys' fees and costs.

As Your Honor is aware, on November 1, 2024, the Honorable Jesse M. Furman issued an Opinion and Order [ECF No. 199] (the "Opinion and Order") adopting the Report and Recommendation dated March 13, 2024 [ECF No. 183]. The Opinion and Order directed Delshah and Free People to confer regarding a proposed form of Judgment consistent with the Opinion and Order. The parties did so but were unable to reach an agreement, and on November 7, 2024 the parties submitted competing proposed forms of Judgment and jointly requested briefing regarding the appropriate amount of the Judgment. On November 12, 2024, Judge Furman endorsed the parties' request and ordered that supplemental filings regarding the appropriate Judgment be filed no later than November 30, 2024 [ECF No. 203].

In light of the fact that additional briefing on the issue of damages remains and no Judgment has yet been entered, the parties respectfully submit that the conference with Your Honor should be continued until a date after briefing has been completed and Judge Furman enters Judgment.

We appreciate the Court's consideration of this request.